

HAMILTON COUNTY BOARD OF AVIATION COMMISSIONERS
FEBRUARY 26, 2004

The Hamilton County Board of Aviation Commissioners met on Thursday, February 26, 2004 at 6:30 pm in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana.

President Larry Jacobi called the meeting to order. Secretary Kim Rauch took roll call and declared a quorum present of Larry Jacobi, Tim Tolson and Tom Kapostasy. Paul Spranger was absent.

Larry Jacobi introduced Tom Kapostasy as the newest member of the Board.

Election of Officers:

Tim motioned to approve the slate of officers – President, Larry Jacobi and Vice President, Tim Tom Tolson. Tom seconded. Motion carried unanimously.

Approval of Minutes:

Tim motioned to approve the November 20, 2003 minutes. Tom seconded. Motion carried unanimously.

Tim motioned to approve the December 2, 2003 and January 14, 2004 minutes. Tom seconded. Motion carried unanimously.

Tim motioned to approve the minutes of January 22, 2004. Tom seconded. Motion carried unanimously.

President's Report [6:34:15]

2005 Capital Improvement Plan (CIP):

Larry J. stated the 2005 Capital Improvement Plan (CIP) was submitted at the January 22, 2004 meeting. Larry signed the Plan and it has been submitted to the FAA. Tim motioned to ratify the 2005 CIP. Tom seconded. Larry J. stated this is a five year plan, that is updated every year. Motion carried unanimously.

Boone County Workshops:

Larry J. stated he, Tim and Mike attended the workshops held by Boone County regarding the airport zoning amendment held on December 15, 2003 and January 5, 2004. The Boone County Zoning Board has approved, unanimously, the text amendment for an Airport Zone. It will go onto the Boone County Commissioners for a vote. We were hoping that vote would take place this week. Mike stated under the law the Commissioners have 60 days to act on it. It is not on their agenda for February 1st or 8th. We are optimistic it will go on the February 15th agenda. Once the text amendment is approved we will immediately file our petition with the Boone County Plan Commission to have this specific site designated for an airport use. Mike suggested that we hold a work session at our next meeting to discuss proposals that we would have as text in our ordinance. Larry J. stated once the Airport Zone is approved our proposal would go in to the specifics that everything we want to see at Indianapolis Executive Airport (IEA). Mike stated it would have a proposed site plan, which Mid-States Engineering is working on. Mike stated we anticipate the site plan includes existing structures, proposed future locations for hangars, runway extensions and we would place commitments for setbacks for the southeast and west boundary lines for actual airport uses whether they be buildings, runways, taxiways, etc. The goal would be to put restrictions upon ourselves that take care of our foreseeable uses, but at the same time give the surrounding property owners a feeling of security, that the encroachment upon their space would be minimized and protected for the foreseeable future.

Larry Creakbaum showed the Board a preliminary site plan for their review. Mike stated our goal is to go to the Boone County Plan Commission and tell them this is our long-term plan and we would anticipate this is the build out for the foreseeable future. Mike asked Larry C. to get copies

of the site plan to the Board members. Tim asked that the buildings that need to be removed for the safety zone be outlined in red or some sort of shading.

Indianapolis Executive Airport Report:

Andrea Montgomery stated she has been meeting with Zionsville and Westfield Fire Departments. We have purchased lock boxes that will be attached to the gates so the fire departments can have access to the airport during an emergency without a code. Tim asked why is the Carmel Fire Department not involved? Andrea stated they do not want to be involved yet. The two departments that will be responding will be Zionsville and Westfield. Carmel will come in as a back up with the Hazmat unit. Zionsville is preparing levels of things that could happen. That is how they will know what units need to be called out. Once it is finished it will go to Westfield and then Carmel for their input. At that point all of the fire departments will meet with Andrea and we will establish something definite. Tim stated when we say Carmel, we are actually saying Hamilton County's Hazmat team. Andrea stated we are establishing a contact list so the fire departments will know whom the managers are and who they need to contact.

The sign has been installed and it is illuminated.

The financial statements she has submitted are fine and meets the requirements of the County. Larry J. stated Tom will be working with you and Kim on the finances.

Dan Montgomery stated he has met with Mr. Bailey and they went to the AFC Office in Lebanon and lined out the acreage that is tillable. We came up with 342.5 acres. In order for Mr. Bailey to sign up for the government program they need a letter from the Board that confirms the Board has hired him to rent the farm. Mr. Montgomery presented the letter for the Board to sign. Dan stated Mr. Bailey also needs a land lease and the swap agreement. Dan stated he has verbally given him permission to proceed. Mike stated he will prepare the documents for the Board to look at next month. Tim asked what is our total acreage for the airport? Mike stated 539.44 acres. Over 50% of our land is tillable.

Dan stated the AWOS can not be activated. We need a driveway installed to the AWOS and the ground is too soft to get back there. He does have all the licenses for the AWOS.

Dan stated he has spoken to the DNR regarding the gas well. They want the gas well plugged because it is inactive. He is getting estimates for plugging the well. Mike asked Dan to call Dave Johnson to get an estimate.

Dan asked if the Z-Link service has been discussed? Larry C. stated as far as he knows the FAA has not approved hooking Z-Link to AWOS, regardless of what the manufacturer says. Larry J. stated when they allow it we should look into it.

Dan asked if there was any decision on replacement of the hangar roof? Larry J. stated we have received two quotes for re-roofing Ray's old hangar: Design and Build Corporation - \$8,589 and Build by Design - \$5,588.5. Larry J. stated the higher bid leaves the original roof and lay the new roof on top of it. Larry C. stated the plan shows three buildings will be built through there in the future. When the third building is built, that hangar will have to be destroyed. Dan has built one building, how long will it be before you build the third building? Are you going to get your money back from the time you replace the roof and when you have to destroy the building? Dan stated that is up to the Board, we do have to build more buildings once we get the zoning. Currently he has his tractor and snow removal equipment stored in it. Dan stated that building will be there for at least three years. Larry J. stated we could decide to put an airplane in it and rent it for \$500 a month, which it would accommodate. It is currently not leasable for an airplane, but if you put a roof on it, it would be. Mike asked if you build the second building, will there be a spot for your equipment? Dan stated no. We could use the open T-hangars to store the equipment. Eventually we will have to build an equipment building. Dan stated he could rent the hangar out

tomorrow. Parvin Gilliam suggested looking in to a spray-on epoxy. Dan stated he did that about six years ago with his maintenance hangar and it has held up well. Larry asked to approve a motion to accept the Build by Design quote of \$5,885, if we can't get a spray-on at a cheaper price. Tim so moved. Tom seconded. Motion carried unanimously. Dan confirmed that he should rent the hangar out for \$500 a month? Larry J. stated yes.

Dan stated there is a driveway along SR 32 to the new T-hangars. Dan stated this is towards the location of his new house. Dan would like to know if the County can help him put in the driveway. It will be stone base until we can asphalt it. Dan does not have a cost estimate. Dan stated they will have to cut out the fence and put in a security gate. He will get estimates on the gate and the stone. Mike stated you are looking for the Board to grant you a driveway easement to your property and agree that you will bring back quotes on the costs of putting down stone to the point of proposed access. Larry J. stated it sounds reasonable. Dan stated he will get bids. Dan stated they now have the septic permit approved for the house and in another week they should have the building permit.

Dan stated we had snowmobilers cut through the airport this winter and wiped out one of our new landing lights, which he will fix. He has not heard from Michiana about the PAPI.

Larry J. stated the Boone County Commissioners have to vote on the airport zone amendment before we can submit the application. Should we formulate a letter from the Board requesting their expediting this, or make some phone calls? Mike recommended the Board authorize the President to take whatever steps are deemed necessary. He would expect the initial zone to be established in the month of March.

Melissa Garrard stated the zoning issue is moving as fast as Boone County is capable of moving. They are trying to get it on the agenda. Melissa stated they are talking about the zoning for the airport proper and creating the text in the ordinance to recognize such a zone district. There has been another issue, the issue of an overlay district that would govern some development and create some standards for areas around the airport that are not technically on the airport property. It is becoming an urgent matter to consider. It was always planned to come on the heels of the text amendment for the airport zone. There is a development planned for the south end of the runway for 358 homes. That developer made promises to this Board that they would wait until the airport was zoned and had received it's own classification before they pushed forward with the development of that property. Ms. Garrard understands that is not the case and they will be going forward next Wednesday with that development. Ms. Garrard stated she thinks it is prudent that this Board and the zoning authorities start to think about what development standards they want to see in the area of the airport. Ms. Garrard stated at this point she thinks sending a non-confrontational letter to the Boone County Commissioners and Plan Commission, requesting they study the idea of an overlay district. Don't recommend any specifics, just encourage them to begin thinking about the process in the context of this development they are considering. Ms. Garrard stated Carl Winkler requested Ms. Garrard draft a letter to Boone County for the Aviation Commissioners to sign. Planning in this regard is desirable and recommended. The FAA, INDOT, American Planning Association recommends it. The Boone County planning staff recommends it, there is a document from them that recommends an overlay district follows the airport text amendments. The time has come to request that they start this process. Larry J. asked if there is anything in the letter that would impact negatively the zoning that will hopefully take place in the next few weeks? Ms. Garrard stated she does not think so, she has already sent these thoughts to one of the Boone County Commissioners and she has indicated she agrees. You will not be taking a position on anything, you are just asking them to begin the process. Mike stated in the best of all possible worlds, he agrees with her. The environment of zoning and political wrangling over this airport is far from being the best of all possible worlds. Mike commended Ms. Garrard and her client's efforts to be thorough. At this time, when there is a time sensitive issue, the present petition was initiated at the Plan Commission, the Boone County Commissioners need to act on this petition. They don't need an excuse to say they need to send this back and think about it. Mike stated he and Ms. Garrard

have had this conversation before. This is a good idea, but a lot of the things need to be talked about. The proposed development is more than willing to comply with State Statute, which provides for disclosures. This Board is begging for money from the FAA to reimburse itself, it does not need to be paying inverse damages to landowners for actively restricting usages on existing zoning. In his opinion the soonest we would want to initiate this letter would be once the airport zone is established and possibly contemporaneous with our zoning. Ms. Garrard stated she understands that, if you were able to exercise some of your good offices with the developers that are bringing forth the project that is at issue, she thinks we could probably delay a request. She is willing to work on the language, if you think this is adversarial. Ms. Garrard stated if no one takes initiative on something that the FAA, INDOT, Boone County Plan Staff have recommended within the next few days, that subdivision will be approved with absolutely the minimum disclosure that is allowed by the law. You do not need to be setting your expectations too low with regard to this development. It is the first, but it will not be the last. It will be the standard by which everyone after it is evaluated. We can tone down the letter that will put people on notice that you do think they should investigate and conduct some study in this area. All you are asking them for is to start the process. In regards to the zone district, you have a favorable recommendation and it will become law eventually, even if the Commissioners do nothing. She is not inclined to believe the Commissioners will be offended by this letter, so as to deny you something that has received a favorable recommendation. The point can be made in a way that will not affect your proceedings before the Commissioners. The point has to be made.

Larry J. thanked Ms. Garrard for her comments and he will talk with Mike and make a decision on what to do with this. Tim motioned to allow the President to take what action necessary on the Board's behalf to represent our concerns on our zoning issues with Boone County between now and our next meeting. Tom seconded. Motion carried unanimously.

Tom asked what is the time sensitive nature of your recommendation? Ms. Garrard stated the deadline for submitting documents for the Plan Commission to consider it at their Wednesday meeting is tomorrow. The subdivision is on the Plan Commission's agenda for Wednesday. To the extent that you are inclined anything indicating a request for some sort of due diligence regarding that subdivision has to be in the record tomorrow. Otherwise you will lose any opportunity to put any information in the record regarding this subdivision. Tom asked why would we be interested in that? Ms. Garrard stated this subdivision would be the fourth largest subdivision in Boone County. It will be as big as the fourth largest municipality in Boone County. This does not include the other developments that will occur around it once the sewer and water are made available. It will be due south of the existing runway. With the ALS landing system, the northern part of that subdivision, the rooftops could be as little as 90' away from the airplanes. It is her understanding that they will usually be more than that. She does not think that anybody has a concept of what that will be like. Most of the Boone County Plan Commission members have never visited the airport, do not understand aviation and they are making decisions in a vacuum. They need advice and encouragement to engage in study mechanisms that will lead to better decisions.

Dan suggested inviting the Plan Commission to come to the airport for a work session and have a plane fly over so they can see the situation. Larry J. stated he thinks it is a good idea.

Andrea stated this development is less than one mile from the end of the runway. The projection of the houses is they are on the flight path. She is not opposed to the development, she is opposed to getting threatening phone calls because there is an airplane flying over their house. Mike stated that is why you have the Tall Structures Act and the Noise Sensitive Area Act, that is why it will be in their deed restrictions. There are non-compatible issues everywhere. People will have covenants in their deed that says yes, we know the airport is there.

New Business [7:39:11]

Corporate Hangars:

Larry J. stated he has received two letters from corporations stating that once the zoning is in place, they would like to build hangars at Indianapolis Executive Airport. We need to decide what the rent is going to be, how we are going to lease the land, etc. Mike asked the Montgomery's and Carl Winkler to research what the market is. Andrea stated when we work on the leases we need to factor in the costs of connecting into the septic system, driveways, infrastructure.

Next Meeting:

The next monthly meeting will be held on Tuesday, March 23, 2004 beginning with a work session at 5:45 pm, with the public meeting beginning at 6:30 pm. Tim motioned to approve. Tom seconded. Motion carried unanimously.

Present

Larry Jacobi
Tim Tolson
Tom Kapostosy
Mike Howard
Maria Muia
Larry Creakbaum
Mike Evans
Jeff Meyerrose
Dan Montgomery
Andrea Montgomery
Susan Post
Parvin Gillim
Susan Gillim
Larry Creakbaum
Maria Muia
Mike Evans
Melissa Garrard
Kim Rauch

President

Recording Secretary

Date

Date